



Department of Development Services
Planning Division
Meeting Minutes of the
Planning & Zoning Commission
(APPROVED)

REGULAR MEETING OF THE PLANNING & ZONING COMMISSION
TUESDAY, March 13, 2012

Commissioners Present

Sandra Bobowski
Temple Shannon
John Lupo, Jr.
Gerald Pleasent
Valerio Giadone
Edwin Vargas
Tony Koos

Staff Present

Roger J. O'Brien
Kim Holden
Jeff Cormier
Don Chapman
Jonathan Mullen

Commissioners Absent

David Blatt

I. Public Hearing

- a. Text amendment to the City of Hartford Planning and Zoning Commission Zoning Regulations to add Section 975, Purpose, and Section 976, Accessory historic barn dwelling units in the R5, R6, R7 and R8 districts. Applicant-City of Hartford Planning and Zoning Commission.**

The meeting was called to order. The roll call was taken. Chairman Bobowski appointed Commissioner Pleasent to fill a vacant position. There was a quorum.

Chairman Bobowski opened the public hearing and read the rules of the public hearing.

The public hearing was continued from February 28, 2012. The Commission felt that they received sufficient information and input from the public regarding the proposed text amendment. The Planning Division's Director and Secretary of the Commission Roger O'Brien provided the Commission with two resolutions; one was for the approval and the other for denial of the proposed text amendment.

Chairman Bobowski invited the public to speak on the matter. There were no questions or comments from the public. The public hearing was closed.

- b. 237 Ledyard Street-Approval of location for a new and used car dealer and general repairer. Applicant-William Allen, Owner-Caceres Ferez Realty, LLC.**

Principal Planner Jeff Cormier presented a summary of the application. The applicant proposed to conduct new and used car sales and applied for general repairer license. The subject site had been used as a ceramic tile and marble sales business. The site had 16 striped shared parking spaces. Planning staff recommended approval of the application with the conditions that the applicant submit a revised drawing showing the parking spaces forward of the building line be removed, the abandoned sign for Omega Ceramic Tiles be removed and the standard City of Hartford conditions for Approval of Location:

- All repair work will occur inside the structure
- Discarded, disassembled and loose parts or refuse will be stored inside the structure or in an enclosed or screened area outside the structure
- Inoperable vehicles are stored inside the structure.
- All vehicles being repaired will be stored inside the structure.
- All parking spaces are clearly striped and numbered

The applicant agreed with the conditions of approval.

Chairman Bobowski invited the public to speak on the matter. There were no questions or comments from the public. The public hearing was closed.

II. Regular Meeting

i. Consideration of Public Hearing Items

a. Text amendment to the City of Hartford Planning and Zoning Commission Zoning Regulations to add Section 975, Purpose, and Section 976, Accessory historic barn dwelling units in the R5, R6, R7 and R8 districts. Applicant-City of Hartford Planning and Zoning Commission.

Chairman Bobowski had received suggestions from Carolyn West and David Barrett at previous public hearings. After discussion, the Commission amended the proposed ordinance language to add the following: 1) The property proposed for an accessory dwelling unit shall contain an existing single-family dwelling and no property shall contain more than one accessory dwelling unit. 2) The property must be improved with an historic barn or carriage house built before 1940 that contributes to the architectural or historic character of the City. 5) The proposed accessory historic barn unit must be within the existing footprint and height of the historic accessory building, and be configured to include a kitchen, a separate bathroom, 2 means of egress, a separate entrance/exit, and comply with all applicable City building code requirements. 7) The property containing the accessory historic barn unit shall not be subdivided unless it meets the regulations of the zone. The accessory historic barn unit may not be offered for sale but may be rented. 10) The lot size must be a minimum of twelve-thousand (12,000) square feet. 11) A carriage house is defined as a detached outbuilding originally constructed to house horse-drawn vehicles and related equipment, or horses, or used to store grain or shelter animals and incorporates a hay loft, second story or half-story, or open interior space under a pitched roof in excess of fifteen (15) feet from the floor to the roof peak. The structure must also demonstrate characteristics

of contributing buildings within the Local Historic District in which it is located. Exclude the R-8 zoning district.

Lisa Silvestri, Assistant Corporation Counsel discussed legal barriers associated with the proposed condition that the historic barns should be owner occupied. She advised the Commission about the possible issues with enforcing that type of condition.

On a motion made by Commissioner Vargas Jr., and seconded by Commissioner Lupo Jr., the following resolution was approved:

- Whereas, The Planning and Zoning Commission has reviewed the City of Hartford Zoning Regulations and determined that Accessory Historic Barn Dwelling units should be added to Article VI, Accessory Uses; and
- Whereas, The purpose of the regulation is to provide for the preservation of historic barns and carriage houses while increasing the city's tax base and providing incentive for private community investment; and
- Whereas, The proposed text amendment will permit accessory dwelling units in historic barns and carriage houses under specified conditions in certain residential zoning district where lots are developed with single family houses; and
- Whereas, The proposed text amendment is consistent with One City One Plan, Hartford's Plan of Conservation and Development to allow accessory dwelling units at owner occupied properties for carriage houses; and
- Whereas, The proposed text amendment was submitted to the Capitol Region Council of Governments and adjacent towns for comment; and
- Whereas, The proposed text amendment is consistent with the health, welfare and public safety needs of the community; now be it
- Resolved, That the Planning and Zoning Commission hereby approves the text amendment to add Section 975 and Section 976, Accessory Historic Barn Dwelling Units, dated March 12, 2012, to the City of Hartford Planning and Zoning Commission Zoning Regulations.

The following Commissioners voted affirmatively: Bobowski, Lupo, Jr., Shannon, Vargas Jr., Giadone and Pleasant.

The following Commissioners abstained: Koos.

b. 237 Ledyard Street-Approval of location for a new and used car dealer and general repairer. Applicant-William Allen, Owner-Caceres Ferez Realty, LLC.

On a motion made by Commissioner Lupo Jr., and seconded by Commissioner Vargas Jr., the following resolution was approved:

Whereas: The Planning and Zoning Commission has received an application requesting an approval of location for new and used car sales and general repair at 237 Ledyard Street; and

Whereas: The proposal is consistent with the Plan of Conservation and Development and meets the zoning regulations; and

Whereas: There are several automobile sales and repair establishments on adjacent properties and the uses are characteristic in this area; NOW, THEREFORE, BE IT

Resolved: The City of Hartford Planning and Zoning Commission approves the application for an Approval of Location for new and used car dealership and general repair at 237 Ledyard Street as shown on the plans entitled "MVD Site Plan Prepared for Rene Auto Repair, LLC 237 Ledyard Street, Hartford, Connecticut" prepared by Frances T. D'onofrio, Prof Eng & Land Survey, dated May 21, 2011 revised May 23, 2011, scale 1"=40', subject to the following conditions:

1. A revised site plan showing the parking spaces forward of the building line removed be submitted for approval by the Director of Planning.
2. The abandoned sign for Omega Ceramic tiles be removed.
3. The standard City of Hartford conditions for Approvals of Location:
 - a. All repair work will occur inside the structure
 - b. Discarded, disassembled and loose parts or refuse will be stored inside the structure or in an enclosed or screened area outside the structure
 - c. Inoperable vehicles are stored inside the structure.
 - d. All vehicles being repaired will be stored inside the structure.
 - e. All parking spaces are clearly striped and numbered.

The following Commissioners voted affirmatively: Bobowski, Lupo, Jr., Shannon, Vargas Jr., Giadone, Koos and Pleasent.

ii. Consideration of the 2012-2013 Capital Improvement Plan

Roger O'Brien informed the Commission that the Mayor had requested a change to move the allocation for the Weaver High School from fiscal year 2014-15 to fiscal year 2013-14.

On a motion made by Commissioner Lupo Jr., and seconded by Commissioner Vargas Jr., the Commission adopted the 2012-2013 Capital Improvement Plan with the requested change.

The following Commissioners voted affirmatively: Bobowski, Lupo, Jr., Shannon, Vargas Jr., Giadone, and Pleasent.

The following Commissioner abstained: Koos

iii. Consideration of an amendment to the Parkville Municipal Development Plan to include three parcels of land south of Hawthorn Street between Laurel and Forest Streets and the highway interchange

Wayne Benjamin, Economic Development Director, introduced the proposed amendment to add 18.4 acres of land to the existing Project boundaries at the northern end of the existing Project boundaries and south of Hawthorn Street between Laurel and forest Streets and the Highway interchange. The proposed amendment was to acquire two vacant parcels for eventual reuse under the current zoning designation. Mr. Benjamin stated that some areas were contaminated and the City was looking for ways to address issues.

On a motion made by Commissioner Giadone and seconded by Commissioner Lupo Jr., the Commissioners voted affirmatively to send a favorable report to the City Council regarding the proposed amendment. The following Commissioners voted affirmatively: Bobowski, Lupo, Jr., Shannon, Vargas Jr., Giadone, Koos and Pleasent.

iv. CGS 8-24 Review

a. Sigourney Square

Tony Matta, the City Architect, and Mark Fisher, the architect for the project, presented the proposed Sigourney Square Park improvements.

On a motion made by Commissioner Lupo Jr. and seconded by Commissioner Vargas Jr., the Commissioners voted affirmatively to send a favorable recommendation to the City Council. The following Commissioners voted affirmatively: Bobowski, Lupo, Jr., Shannon, Vargas Jr., Giadone, Koos and Pleasent.

b. Pulaski Mall

Tony Matta, the City Architect, and Mark Fisher, the architect for the project, presented the proposed Pulaski Mall improvements.

On a motion made by Commissioner Lupo Jr. and seconded by Commissioner Vargas Jr., the Commissioners voted affirmatively to send a favorable recommendation to the City Council. The following Commissioners voted affirmatively: Bobowski, Lupo, Jr., Shannon, Vargas Jr., Giadone, Koos and Pleasent.

c. Comcast utility easement on Savitt Way

Roger O'Brien explained the proposed 700 foot utility easement. The City would receive lump sum money for the easement from Comcast. The easement was currently pending with the City Council pending on the Commission's report. The City would allow Comcast a 24 hour access to maintain the underground cable lines.

On a motion made by Commissioner Vargas Jr. and seconded by Commissioner Lupo Jr., all of the Commissioners voted affirmatively to send a favorable recommendation to the City Council.

v. Discussion and/or consideration of a POCD land use map amendment at 1400 Main Street to accommodate a proposed McDonald's restaurant with a drive through

Chief Staff Planner Kim Holden presented the summary of the proposed land use change. Kim Holden stated that in 2010 the land use designation was updated from a Central Business District to Education, Public Administration, Health Care and Other Institutional land use classification.

Kim Holden explained the process for the land use change. She added that the subject property was located in the B-2 zoning district which did allow restaurant use but did not allow drive-through.

Chairman Bobowski recalled when the Commission had adopted the updated land use designations in 2010. She added that the Commission had denied the similar application in 2007 after the neighborhood opposed it and the Commissioners felt that the area was congested. Chairman Bobowski requested that the City should obtain its own traffic study and public safety reports from the Police Department and Fire Marshal, in reference to that intersection.

Wayne Benjamin, Economic Development Director, spoke in favor of the land use change for a proposed McDonald's at 1400 Main Street.

Commissioner Vargas stated that the proposed land use change would make the land use more marketable and would produce revenue to the City.

Chairman Bobowski had concerns about traffic. She stated that the University of Toronto study from 2002 had found that the drive-through restaurants had 90 percent more traffic than restaurants without a drive-thru.

Rony Shapiro stated that he submitted a traffic report to the City. The Planning Division and the Planning and Zoning Commission were never made aware of the traffic study report. Mr. Shapiro handed the Commission a copy of the traffic study dated September 2, 2011.

Roger O'Brien stated that the previous zone change was initiated since the predominant use of C-1 district was a warehouse, and the studies had shown that the subject area would not be suitable for that use.

Commissioner Giadone stated that future development on the subject site should fit into the proposed land use of the surrounded area, and should be supported by the community. He stated that in his opinion, the drive-through would not be appropriate, but he would not object the land use change.

On a motion made by Commissioner Lupo Jr., and seconded by Commissioner Shannon, the following resolution was approved:

Whereas, The Planning and Zoning Commission adopted a Generalized Land Use Map in June 2010; and

Whereas, It is sound planning practice to periodically review land uses; and

Whereas, The City of Hartford has requested that the Commission consider changing a portion of Main Street at Ely Street from EPUB- Educational, Public Administration, Health Care and Other Inst to CORMU- Mixed Use Commercial, Office, Residential ; Now therefore, Be It

Resolved: The Hartford Planning and Zoning Commission requests that the planning staff prepare and file a proposed land use map change from EPUB- Educational, Public Administration, Health Care and Other Inst to CORMU- Mixed Use Commercial, Office, Residential at Main Street and Ely Street; and be it further noted that the Planning and Zoning Commission reserves judgment on this matter until all comments and formal reports have been received and public hearing held per the requirements of the Connecticut General Statutes.

Resolved: On the thirteenth day of March 2012

The following Commissioners voted affirmatively: Lupo Jr., Shannon, Vargas Jr., Giadone, and Pleasent.

The following Commissioner voted in opposition: Bobowski.

The following Commissioner abstained: Koos.

Assistant Corporation Counsel Lisa Silvestri discussed the appropriateness of conducting a research on a pending application.

III. Approval of Minutes

The minutes of November 15, 2011 were approved with corrections. The minutes of December 13, 2011 were approved with corrections. The minutes of February 7, 2012 were approved.

IV. Adjournment

Respectfully submitted by
Lynda Crespo

Roger J. O'Brien, Secretary